

## **EO 13101 Quarterly Teleconference**

### **Proposal for Streamlining Reporting Requirements The 11 New Products Proposed by EPA Completing the FY 2001 RCRA/EO 13101 Report Environmentally Preferable Cleaning Products**

**Teleconference Workshop on Greening the Government  
through Waste Prevention, Recycling, and Federal Acquisition  
November 29, 2001, 11 a.m.- 12:30 p.m. Daylight Savings Time**

#### **PARTICIPANTS:**

**ALBUQUERQUE OPERATIONS OFFICE:** Charlie Henn, Teresa Loschke  
Los Alamos National Laboratory (LANL): Eleanor Chapman  
Sandia National Laboratories/New Mexico (Sandia/NM): Stacy Richardson

#### **CHICAGO OPERATIONS OFFICE:**

Argonne National Laboratory - West (ANL-W): Adrian Collins

#### **FOSSIL ENERGY:**

National Energy Technology Laboratory (NETL): Deborah Boggs, Bruce Webster  
Strategic Petroleum Reserves (SPR): Teresa Heaton

**GOLDEN FIELD OFFICE:** Jim McDermott

**HEADQUARTERS:** Susan Weber, Connie Haga (SAIC), Mark Huffman (SAIC)

#### **IDAHO OPERATIONS OFFICE:**

Idaho National Engineering and Environmental Laboratory (INEEL): David Janke,  
Mary-Ann Somsen

#### **OAKLAND OPERATIONS OFFICE:**

Lawrence Berkeley National Laboratory (LBNL): John Speros  
Lawrence Livermore National Laboratory (LLNL): Kent Wilson

#### **OAK RIDGE OPERATIONS OFFICE:** Bev Schultz, Richard Martin Oak Ridge

Associated Universities (ORAU): Erskine Gray  
Paducah Gaseous Diffusion Plant (PGDP): Brian Bowers  
Thomas Jefferson National Accelerator Facility (TJNAF): Dennis Dobbins, Linda  
Even  
Y-12 National Security Complex (Y-12): Anne Ostergaard

#### **OHIO FIELD OFFICE:** Kimberly Tate

Fernald Environmental Management Project (FEMP): Phil Spatz

**RICHLAND OPERATIONS OFFICE:** Theresa Aldridge, Oscar Holgado  
Hanford Site: Kathy Hinkelman, Donnell Long, Julie Stitt, Paul Von der Mehden  
Pacific Northwest National Laboratory (PNNL): Sandra Cannon (EO 13101  
Coordinator), Wanda Couchman, Judith Johannesen

**ROCKY FLATS FIELD OFFICE:** Doug Schlagel  
Rocky Flats Environmental Technology Site (RFETS): Tamar Krantz

**POWER ADMINISTRATIONS:**  
Western Area (WAPA): Frank Armstrong, Gene Iley

**EPA:** Terry Grist

**11:10 Greeting and introductions - Susan Weber, DOE-HQ EO 13101 Manager**

Susan Weber (HQ) introduced herself as program manager for DOE's environmentally preferable purchasing program, and briefly mentioned the topics to be covered on the teleconference.

**11:15 Discussion of streamlined reporting proposal - Susan Weber**

Susan Weber (HQ) noted that DOE is currently required by Congress through the Resource, Conservation, and Recovery Act to buy and report to the Office of Management and Budget (OMB) purchases of the Comprehensive Procurement Guideline (CPG) items (these are the EPA-designated items with recycled content). DOE and its sites now report on 54 items (more if you count the paper items separately), and EPA is proposing 11 new items. This is a lot of information to track and report.

Susan has proposed to the OMB and to the Office of the Federal Environmental Executive (OFEE) an approach to streamline the reporting burden on Federal agencies and their contractors. The draft proposal was included with the materials that everyone was sent along with the agenda for this teleconference. Under the proposal DOE and other Federal agencies would report on "indicator" items. DOE would know what the indicator items would be before the start of each fiscal year. The number of indicator items would not exceed a reasonable limit (perhaps 10). Susan requested input on what a "reasonable" number would be.

Susan stressed that the indicator items are only for reporting purposes. DOE would still be required to purchase each of the 54 items with recycled content. However, the bulk of site efforts could hopefully be spent on finding and purchasing the items and educating buyers, rather than tracking and reporting.

Susan also asked for input on what the indicator items should be. Should they be DOE's big ticket items, such as copier paper and two or three other items that DOE

spends the most money on? Should some of the challenging newer items, such as industrial drums or sorbents be included as indicator items? In this case, special emphasis would be put on the newer indicator items, but once buyers get used to purchasing these items, other items would replace them in DOE's education and awareness programs.

The proposal includes an audit component to satisfy Congress, OMB, and OFEE that all items are still being purchased, even though only a subset of the items would be reported. The audit could consist of spot checks for non-indicator items, such as checks for which office supplies were being purchased, and/or specifications in construction contracts. Susan asked for input on the proposal from the group.

Doug Schlager (RFETS) noted that DOE would still be required to track all the items and would also need special training for the indicator items.

Theresa Aldridge (Richland Operations) and Deborah Boggs (NETL) said that while OMB and OFEE should pick some indicator items, sites should also have input on additional site-specific indicator items. As far as auditing, self-assessments would be best. Input from Waste Minimization staff would still be required for recycling/solid waste questions.

Susan stressed that DOE and its contractors could decide on indicator items for their own internal reporting purposes, but for reporting items to OMB/OFEE there needs to be a consistent list across all Federal agencies. In terms of tracking, Susan said that most of the tracking would be confined to the written exemption justification forms.

Kent Wilson (LBNL) mentioned that the written justification forms are a tracking nightmare. He thinks an electronic system would work best. Susan agreed, but stressed that a signature is still needed, even if it is an electronic signature. In general, sites indicated that the exemption justifications would still be a big effort.

Several sites (NETL, PNNL, LANL) suggested five to ten items as a "reasonable" number of indicator items, with a preference for five versus ten. Sandra Cannon (PNNL) had a concern about the variability of the indicator items. If the indicator items keep changing, there would be additional expense to modify electronic tracking systems to include the new items.

Anne Ostergaard (Y-12) noted that DOE would need appropriate notification when a new indicator item is proposed. Susan agreed and will make sure to communicate this point to OMB & OFEE.

Generally, there was a lot of support for streamlining reporting requirements.

There was a lot of confusion on the current \$10,000 threshold for site reporting. The threshold is actually a DOE-wide threshold (i.e., - if DOE as an agency purchases less than \$10,000 of an item one year, the next fiscal year, sites are only required to report

on the purchases of this item, if they as a site, purchased over \$10,000 in that fiscal year. This was meant to ease the reporting burden.

Terry Heaton (SPR) and others pointed out that with this approach, some items could slip through the cracks. This would occur because individual sites may not purchase more than \$10,000 of an item, but when combined all DOE purchases of this item could exceed \$10,000. This information would never be captured if sites only report when they trip the site-specific trigger. Susan said that this could potentially happen. Ultimately, Susan said that if data were available, sites could report on all purchases, even those below the \$10,000 threshold for certain items. This issue will be addressed further in the reporting software update for Fiscal Year 2002.

There was also a question about the \$2,500 trigger for written exemption justification. Susan clarified that while written justification is required to document all purchases over \$2,500 where recovered content items were not purchased, sites are still required to buy and report on recycled content items regardless of the amount of the purchase.

Dennis Dobbins (TJNAF) asked if there would be additional requirements imposed because of the potential for auditing. Susan said no.

### **11:30 11 proposed products - Terry Grist, U.S. Environmental Protection Agency (EPA)**

Terry Grist (EPA) explained that 11 new CPG items were proposed in the Federal Register on Aug 28, 2001, opening a public comment period. The comment period ended October 29, 2001. The 11 items are rebuilt vehicular parts, tires, cement and concrete containing cenospheres, cement and concrete containing silica fume, modular threshold ramps, nonpressure pipe, nylon carpet and nylon carpet backing, roofing materials, office furniture, bike racks, and blasting grit.

The EPA has been asked to extend the comment period for the carpet products by the manufacturer in order for the carpet industry to assess how a major plant closing will affect recovered product availability.

Terry addressed DOE's major comment regarding the usefulness of vendor lists, specifically that they are not being updated regularly. EPA is in the process of putting together a searchable database with vendor information. Their first goal is to get the current information into the database; the next step would be updating the vendor information. They are also looking at providing a mechanism for manufacturers and vendors to provide and update their information in the database. EPA will work with OFEE and some Federal agencies to test the database. The database is expected to be operational by February or March 2002.

Terry also requested that DOE express comments as part of the workgroup process, in the early stage of regulation development, before the proposed regulation gets published in the Federal Register for public comment.

### **11:35 Questions for Terry Grist**

Susan Weber (HQ) said that she understood Terry's concern about expressing comments as early as possible. She appreciated EPA's response regarding keeping the vendor lists updated.

Terry said that providing timely vendor information has been an ongoing problem. The development of the database will be a big effort, but the goal is to make the final database a "one stop shop" for vendor information.

Sandra Cannon (PNNL) said that the Richland sites are very happy about the new database. It will help lower DOE's costs in terms of searching for vendors. Sandra also said that as DOE is a large agency with many sites and contractors, it is difficult to disseminate information before Federal Register publication.

Susan Weber (HQ) mentioned DOE's comments regarding the stability and availability of the concrete additives. Terry recognizes that availability may depend on the region of country, and pointed out that lack of availability is one of the allowed exemptions. Part of the intent of adding new items is to bring these items into the mainstream. Initially the new items may cost more or be unavailable, but as more sites purchase these items, the price would come down and availability would increase.

Kent Wilson (LLNL) asked if there could be a blanket exemption from purchasing concrete with blast furnace slag (i.e., items that are unavailable).

Terry said that the site should do an initial availability check for the items and then recheck periodically, to see if the market has changed and item is available. He stressed that as part of the Affirmative Procurement program some assessment needs to be made of market conditions.

Kent Wilson asked if putting together a memo documenting their vendor search would be enough justification. Terry thought that this would be fine. Susan agreed and said the issue of availability should be revisited annually. There is a sample example justification form available on the Affirmative Procurement Web site for sites to use.

Mary-Ann Somsen (INEEL) asked if DOE has been tracking justifications and has been unsuccessful as an agency in purchasing certain items, can the agency get relief from tracking/reporting, possibly for one to three years. Terry said that if the agency doesn't buy an item at all, the Affirmative Procurement Program could state this and say that the item won't be tracked. Mary-Ann suggested that Headquarters could issue some type of agency-wide guidance about not tracking or reporting certain items.

Susan Weber (HQ) will forward this question to OMB and OFEE, and the issue will be addressed in the next update to the Affirmative Procurement Program Guidance.

Teresa Loschke (Albuquerque Operations) asked Terry Grist about the schedule for

completing the database and about it being a “one stop shop”. Terry said the plan is for the database to be all-inclusive and searchable by product. He reiterated that the database would be rolled out in stages - first with the existing data put into the database (by February or March 2002), then later with the updated data.

### **11:50 Walk through of DOE P2 Web site - Mark Huffman (SAIC)**

Mark Huffman (SAIC) began a walk through of the DOE Pollution Prevention (P2) Web site at <http://www.em.doe.gov/p2>. The Web site was developed to provide a portal to various P2 sites, including those maintained by DOE's P2 Team, and to provide a P2 Web site with a “.gov” address. The site is currently maintained by DOE-Oak Ridge. Mark described the six main menu items, with drop down menus off of the main menu. Included on the site are DOE's Definition of Pollution Prevention taken from the Pollution Prevention Plan, P2 drivers (links to Executive Orders, DOE Orders, and regulations), and P2 policies and goals (including the Affirmative Procurement goal). The “Programs, Initiatives & Reporting” menu includes data collection efforts, such as for Affirmative Procurement, Waste Minimization, and Return-on-Investment Projects. There is also a link to the Office of Environmental Management's (EM's) Lessons Learned database, and P2 Awards. The “Technical Assistance” menu has links to PNNL's sustainable design Web site, the P2 in Environmental Restoration Web site, and DOE's P2 assessment reports prepared by the P2 Experts Team. The assessment reports, however, are currently unavailable due to national security concerns. Also included under the “Technical Assistance” menu are the Buying Green training presentations in PowerPoint. The “P2 Resources” menu includes links to DOE's Pollution Prevention Information Clearinghouse (EPIC), EM-22 contacts, Waste Minimization Coordinators, and the Waste Reduction Steering Committee. The Affirmative Procurement contact list on is on the Affirmative Procurement Web site. The links to DOE site P2 Web sites are not currently enabled.

### **12:00 How to complete the DOE RCRA 6002/EO 13101 annual report due December 31, 2001 - Mark Huffman, Technical Support for DOE-HQ**

Mark briefly described the Affirmative Procurement Web site and directed everyone to the Fiscal Year 2001 Reporting System Logon Page. To meet external deadlines, all site data entry must be completed by December 31, 2001. Then there is a two-week period for data approval by DOE Field Offices. The reporting system Users Manual is available online for help.

Mark talked about changes in reporting from last year. For this Fiscal Year, DOE is to include purchases from GSA schedule vendors, 18 new items have been added, product help files have been updated, and additional system error messages have been incorporated.

Mark demonstrated the log on process: 1) Pick your site from the picklist. 2) If this is the first time you log on, leave the password blank, and you will be assigned one. Next Mark described the reporting system main menu options (Point of Contact information,

Input Data, Blank Report, Completed Report, Users Manual). Remember to review the Point of Contact information (DOE and contractor) and update as necessary. Blank reports can be printed, distributed, and used as a data entry worksheet. A completed data report can be printed after data has been entered.

Mark directed everyone to the input data option. Data entry is broken down by product category and then by item. New items are highlighted. Mark went through the data entry form for carpet cushion - one of the new items. There is a link at the top of the page for online help (vendors, recovered content levels, specifications, etc.). Next are the specification questions. These are for new items only. Purchasing questions (total dollar amount purchased, amount purchased with recycled content, reasons for not purchasing recovered content items, and dollar amount of unjustified virgin purchases). Remember to hit the submit button to save your data. You should get a message that says that the database has been updated after you hit submit.

Additional data checks have been incorporated in this year's software. System error messages will be displayed if any of the following data checks are violated. Dollar amounts will be accepted if only numbers have been entered in the fields. Commas will not be accepted. The total amount of purchases must exceed the amount of purchases with recovered materials. Also, if you reported that you had purchased items without recovered content, you must check one of the reasons for these purchases. Finally, if you are reporting unjustified purchases, you must check off the "None of the Above" box, and you must supply the dollar amount of these unjustified purchases.

### **12:10 Questions on Reporting/ Data Entry**

Oscar Holgado (Richland Operations Office) asked who was doing the actual reporting or data entry. Susan Weber (HQ) said that each site decides who enters data for the site, but DOE staff must review and approve the data after the site data entry period closes.

Oscar thought that procurement people should enter the data. Susan noted that this is a sensitive subject, and he should work with his procurement person (Nelson Thomas) to make the reporting decision locally.

Terry Heaton (SPR) wanted to confirm that amounts entered for solid waste and recycling need to be consistent with data entered for the annual waste generation report. Susan confirmed this.

Terry Grist (EPA) had a question about justification requirements where an item is purchased with recovered content, but not at the levels specified in the Recovered Material Advisory Notices (RMANs). He questioned whether the wording in the reporting software regarding purchasing requirements matched Executive Order 13101 wording. Susan looked into Terry's question and saw no need to change the language of the reporting software. Executive Order 13101 in Sec. 402(c) states: "...agencies shall ensure that their affirmative procurement programs require 100 percent of their

purchases of products to meet or exceed the EPA guideline unless written justification...." Sec. 502(c) of the EO reads: "...their purchases of products meet or exceed the EPA guidelines unless written justification..."

**12:15 Environmentally preferable cleaning products information from the Center for a New American Dream teleconference - Eleanor Chapman, Los Alamos National Laboratory**

Eleanor Chapman attended a conference call on environmentally preferable cleaning products. The conference call was the first in a series of calls on getting consumers to change the way they consume. Three presentations were given as part of the Conference Call with questions and answers at the end. The presenters were: Tom Barron, Civil Engineer/Consultant - Green Cleaning; Mark Petruzzi, Green Seal - Green Seal and Environmental Standards; Doug Kievit-Kylar and Judy Jamieson, State of Vermont - State of Vermont's Environmentally Preferable Purchasing Program. The speakers addressed human health and safety issues, performance standards, and existing tools that are available for consultation when purchasing cleaning products. Many products commonly used are unsafe. Consumers can reduce their risk by using milder products, wearing protective equipment, and by using green products. There are many existing tools that can make the decision process easier. The PowerPoint presentation from the conference call is attached to these meeting minutes and has the contact information for all of the presenters. The call was organized by Scot Case, The Center for the New American Dream ([www.newdream.org](http://www.newdream.org)). For more information contact Eleanor Chapman, Los Alamos National Laboratory, 505-667-1550 or [eleanorc@lanl.gov](mailto:eleanorc@lanl.gov). Eleanor also provided the following Web sites for information on environmentally preferable cleaning products:

Janitorial Products Pollution Prevention Project:

<http://www.westp2net.org/janitorial/jp4.htm>

Search a database for a particular chemical: <http://chemfinder.cambridgesoft.com/>

View the state of Vermont's EPP Web page: <http://www.bgs.state.vt.us/pca/new.htm>

(On the Vermont Web page, you can view the tools that they came up with for their endeavor called the "Manufacturer's Product Assessment Tool" and the "Environmentally Preferable Custodial Product Evaluation Form".)

The EPA's EPP website: <http://www.epa.gov/opptintr/epp/>

The Green Seal website: <http://www.greenseal.org/index.asp>

The city of Santa Monica's Environmental Programs website:  
<http://pen.ci.santa-monica.ca.us/environment/>

The write-up on Santa Monica's pilot project:  
<http://www.epa.gov/opptintr/epp/pdfs/santa.pdf>



EPA Case Study listing of reports: <http://www.epa.gov/opptintr/epp/doccase.htm>

Eleanor and Frank Armstrong (WAPA) also encouraged sites to incorporate language requiring the use of environmentally preferable cleaning products into custodial contracts. For an example of the specifications and process Pacific Northwest National Laboratory used to establish a Green Custodial Products Program, see <http://www.pnl.gov/esp/greenguide/custodialproducts/>.

## **12:20 Other topics for discussion**

Theresa Aldridge (DOE-Richland Operations) in concert with the Washington State Department of Ecology developed an approach for handling fluorescent light tubes that contained mercury. The approach involved minimizing mercury in new purchases and emphasizing recycling. Fluorescent lamps are not regulated. Theresa wanted to know whether other sites have begun to minimize the amount of mercury in new purchases. Eleanor Chapman (LANL) said yes.

Erskine Gray (ORAU) asked how to provide vendor information to Terry Grist. E-mail the information to Terry at [grist.terry@epa.gov](mailto:grist.terry@epa.gov).

Subsequent to the teleconference, Tom McGeachen (PPPL) who missed the call provided information on environmentally preferable flooring products. PPPL is going to renovate their cafeteria and is providing the following information on products that they will use. For the serving line area they will use Vinyl Composition Tile (VCT) with recycled content by Mannington, made in New Jersey, <http://www2.mannington.com/>, or linoleum by forbo, <http://www.forbo.com/corporate/corpsite.nsf/folders/linoleum> and <http://www.archidea.com/marmoleum/>. The forbo products are not local and so would involve a great deal of transportation. For the carpet area, they will use a 25% post consumer content carpet - either SHAW or Mohawk look like the top candidates right now.

## **12:25 Next date (February 28?) and topics for next teleconference (biobased products and ?)**

Susan Weber (HQ) said that she didn't feel it was appropriate to schedule the next call at this time, due to changes that may occur as a result of the top-to-bottom review of all EM activities in light of EM's mission (cleanup and closure of DOE sites). Finding and recommendations from the review are due to be presented to the Secretary of Energy in mid-December. Susan expects that EM activities will be restructured to more narrowly focus on cleanup and closure. She also expects that the P2 program, including Affirmative Procurement, will be transferred to another Headquarters Office. Susan expects that the program itself will continue as it is required by RCRA. The major change will probably be that Susan won't be managing the program anymore. Susan thanked everyone for their dedication, and said that it's been a privilege and joy working with them. Call participants expressed the same feelings to Susan.

**12:30 Adjourn**

## **SOURCES OF INFORMATION**

**DOE's "Buying Recycled and Environmentally Preferable Products Program" website for access to the reporting site, annual report, teleconference agenda and minutes, and sources of helpful information** U.S. Department of Energy's RCRA 6002/Executive Order 13101 home page <http://www.doep2.org/ap/>

## **PRODUCTS**

### **Database of product information**

U.S. Environmental Protection Agency  
<http://yosemite1.epa.gov/oppt/eppstand2.nsf>

### **Post available and search for wanted materials**

(especially chemicals, equipment, and hazardous materials) at other DOE facilities  
Log on with user name (erhquser) and password (erhqdoe)  
DOE Complex Wide Materials Exchange  
<http://wastenot.er.doe.gov/DOEmatex/index.html>

### **Decision Making Wizard for Cleaning Products**

U.S. Environmental Protection Agency  
<http://www.epa.gov/opptintr/epp/cleaners/select/>

### **Example of Suppliers of Quality Remanufactured Cartridges**

Pacific Northwest National Laboratory  
[http://www.pnl.gov/esp/greenguide/ap\\_toner.html](http://www.pnl.gov/esp/greenguide/ap_toner.html)

### **Results of paint pilot project at Aberdeen Proving Ground**

"Painting the Town Green - Aberdeen Proving Ground Paint Pilot Project"  
<http://www.epa.gov/opptintr/epp/pdfs/paint.pdf>